

ELECTRONICALLY FILED
October 9, 2007

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8 *Counsel for the Official Committee of Equity Security Holders of*
 9 *USA Capital First Trust Deed Fund, LLC*

10 **UNITED STATES BANKRUPTCY COURT**
 11 **DISTRICT OF NEVADA**

12	In re:	)	BK-S-06-10725-LBR
13	USA COMMERCIAL MORTGAGE COMPANY	)	Chapter 11
14	Debtor)	
15	In re:	)	BK-S-06-10726-LBR
16	USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
17	Debtor)	
18	In re:	)	BK-S-06-10727-LBR
19	USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
20	Debtor)	
21	In re:	)	BK-S-06-10728-LBR
22	USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
23	Debtor.)	
24	In re:	)	BK-S-06-10729-LBR
25	USA SECURITIES, LLC,	)	Chapter 11
26	Debtor.)	
27	Affects)	
28	<input type="checkbox"/> All Debtors)	
	<input type="checkbox"/> USA Commercial Mortgage Co.)	
	<input type="checkbox"/> USA Securities, LLC)	
	<input type="checkbox"/> USA Capital Realty Advisors, LLC	)	DATE: September 28, 2007
	<input type="checkbox"/> USA Capital Diversified Trust Deed	)	TIME: 1:30 p.m.
	<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC)	

24 **NOTICE OF ENTRY OF ORDER SUSTAINING OBJECTION OF USACM TRUST TO**
 25 **CAROLINE GERWIN CLAIM FILED IN WRONG DEBTOR'S CASE; OBJECTION OF FTDF**
 26 **TO PROPOSED ALLOWANCE OF CLAIM**

27 PLEASE TAKE NOTICE that an Order Sustaining Objection of USACM Trust to
 28 Caroline Gerwin Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed

1 Allowance of claim was entered on the 2nd day of October, 2007, a true and correct copy of
2 which is attached hereto.

3 DATED this 9th day of October, 2007.
4

5 SHEA & CARLYON, LTD.
6 
7

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Case: 06-10725-lbr

Doc #: 4920

Filed: 10/02/2007

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Entered on Docket
October 02, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

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14 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

16 In re:
 17 USA COMMERCIAL MORTGAGE COMPANY,
 18 USA CAPITAL REALTY ADVISORS, LLC,
 19 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
 LLC,
 20 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 21 USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR
 Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust
 To Caroline Gerwin Claim Filed in Wrong
 Debtor's Case; Objection of FTDF to Proposed
 Allowance of Claim**

Hearing Date: September 28
 Hearing Time: 1:30 p.m.

23 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

26

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1 The Court having considered the Objection of USACM Trust To Caroline Gerwin Claim
2 Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim (the
3 "Objection") [Docket No. 4430]; appearances having been noted on the record; adequate notice of
4 the Objection having been given; there having been no response filed to the Objection; and for
5 good cause appearing:

6
7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim No. 10725-
8 00390 is disallowed against the estates and in the cases of USACM and FTDF.

9
10 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by
11 Caroline Gerwin ("Claimant") in these jointly-administered bankruptcy proceedings.

12
13 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity
14 of Claimant's equity interest in FTDF as reflected in FTDF's books and records, which interest is
in the amount of \$25,000.

15 SUBMITTED BY:

16 
17 SUSAN M. FREEMAN
18 ROB CHARLES
19 LEWIS AND ROCA LLP
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21 Las Vegas, NV 89169-0961
22
23 Counsel for USACM Liquidating Trust

15 APPROVED BY:

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26 Counsel for the Official Committee of
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1 *Approved*
REVIEWED:

2 OFFICE OF THE U.S. TRUSTEE

3 *Landis*
4 AUGUST B. LANDIS, ESQ.
5 SCOTT A. FARROW, ESQ.
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